

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

KENDALL GARLAND,	:	
Plaintiff,	:	
	:	
v.	:	No. 2:19-cv-2996
	:	
PROBATION OFFICER AGENT	:	
DAVID KNORR, PROBATION	:	
SUPERVISOR MICHAEL HERNANDEZ,	:	
and the CITY OF PHILADELPHIA,	:	
Defendants.	:	

ORDER

AND NOW, this 22nd day of June, 2020, upon consideration of Plaintiff Kendall Garland’s “Application for Reconsideration,” *see* ECF No. 32, which seeks reconsideration of the Court’s Opinion and Order dated June 5, 2020 granting the Defendants’ motions to dismiss, *see* ECF Nos. 30-31, **IT IS HEREBY ORDERED THAT:**

Plaintiff’s “Application for Reconsideration,” ECF No. 32, is **DENIED**.¹

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

¹ The Court’s Opinion and Order of June 5, 2020, concluded that (1) Plaintiff’s claims as contained in the Amended Complaint were barred as against the Individual Defendants under the doctrine of *res judicata*, and that (2) his claims against the City of Philadelphia failed to state a cause of action. Plaintiff’s claims against the Individual Defendants were therefore dismissed with prejudice, and he was permitted to re-plead a conditions of confinement claim against the City. *See generally* ECF Nos. 30-31. “The legal standard for reconsideration is ‘(1) an intervening change in the controlling law; (2) the availability of new evidence that was not available when the court granted the [earlier] motion . . . ; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice.’” *In re NewStarcom Holdings, Inc.*, 608 B.R. 614, 623 (D. Del. 2019) (quoting *Hess Dental Labs. Inc. v. Dentsply Int’l, Inc.*, 602 F.3d 237, 251 (3d Cir. 2010)). Here, Plaintiff’s “Application for Reconsideration” states only general and conclusory assertions that highlight his disagreement with the conclusions reached by the Court in its June 5 Opinion and Order. Because Plaintiff’s “Application for Reconsideration” fails to set forth any of the circumstances warranting reconsideration under the applicable legal standard, it is denied.